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<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/669,082	CYPHERS ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	James S Hogan	3752	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

- 1. ☒ This communication is responsive to application filed.
- 2. ☒ The allowed claim(s) is/are 1-35.
- 3. ☒ The drawings filed on 23 September 2003 are accepted by the Examiner.
- 4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    - 1. ☐ Certified copies of the priority documents have been received.
    - 2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    - 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

- 5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  - 6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
- 7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |  |
|--|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date <u>09/23/2002</u> | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material                                 | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance              |
|  | 9. <input type="checkbox"/> Other _____.   |

## **DETAILED ACTION**

### ***Allowable Subject Matter***

1. Claims 1-35 allowed.
2. The following is a statement of reasons for the indication of allowable subject matter: The prior art fails to disclose or render obvious a passive fire protection device having front and rear faces with a plurality of ribs. The ribs and the faces are arranged to define a single chamber into which a fire-extinguishing agent is disposed. The front face is designed of a frangible material that, when impacted or pierced, will shatter and thereby release the extinguishing agent.

### ***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure as follows.

U.S. Patent 6,200,644 to Figge et al., disclosing an explosion barrier

U.S. Patent 5,678,638 to Baker, disclosing a spark suppression system

U.S. Patent 5,762,145 to Bennett, disclosing a fuel tank protection device

U.S. Patent 5,490,566 to Purser, disclosing fire extinguishing panels

U.S. Patent 4,251,579 to Lee et al., disclosing fire protection means

U.S. Patent 4,763,731 to Adams et al., disclosing a fire suppression system

U.S. Patent 3,782,475 to Schmidt, disclosing a fire extinguisher

U.S. Patent Application Publication 2002/0020536 by Bennett, disclosing a method of extinguishing fires

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U.S. Patent 1,745,909 to Paulis et al., disclosing a fire extinguisher for aircraft

U.S. Patent 1,668,940 to Burke Jr., disclosing a fire extinguisher

United Kingdom Patent Specification GB1454943 A to Dale et al., disclosing improvements to fire protection means.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James S Hogan whose telephone number is (571) 272-4902. The examiner can normally be reached on Mon-Fri, 7:00a-4:00p EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Scherbel can be reached on (571) 272-4919. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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JSH

3/16/2005

A handwritten signature in black ink, appearing to read 'D. Scherbel', with a stylized, flowing script.

**David A. Scherbel**  
**Supervisory Patent Examiner**  
**Group 3700**